



As a below named inventor, I declare that ENT & TRADE

inventor (if of matter which SEED PRO 09/186,775	only one name is listed belon is claimed and for which a DUCTION the specification and was amended on	ow) or an original, first and a patent is sought on the invented on of which X is attached (if applic	point inventor (if plural in the plural in t	believe I am the original, finventors are named below) of IALS AND METHODS FO on November 6, 1998 as App	R HYBRID plication No.
amendment in accordance	referred to above. I acknown with Title 37, Code of Fe	wledge the duty to disclose usederal Regulations, Section 1	.56. I claim foreign price nearly certificate listed by	cluding the claims, as amererial to the examination of this ority benefits under Title 35, letow and have also identified application on which priority is	United States d below any
Prior Forei	gn Application(s)			Priority Claimed Under	
	Country	Application No.	Date of Filing	35 USC 119	
	ar.				

I hereby claim the benefit under Title 35, United States Code § 119(e) of any United States provisional application(s) listed below:

Application No.	Filing Date
60/065,989	November 14, 1997
Application No.	Filing Date
60/036,483	January 24, 1997
Application No.	Filing Date
Application No.	Filing Date

I claim the benefit under Title 35, United States Code, Section 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, Section 1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

Attorney Docket No.: 12176-62-1 Client Reference No.: A0158

Serial No. 09/012,895	Filed January 23, 1998

Burgess	Diane	Middle Name or Initial:	
Berkeley	, , ,	USA .	
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2823 Kelsey Street	Berkeley	California	94618 232199 94705
	Nool	Middle Name o	
Gutterson	Neal .	Windle Hame o	i miliai.
		TICA	
Oakland	Calfornia		
5169 Golden Gate Avenue	Oakland	State/Country: USA	Postal Code: 94618
Last Name:	First Name:	Middle Name or Initial:	
Last Hame.	·		
City	State/Foreign Country:	Country of Citizenship:	
City.	, carrier of		
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	Berkeley  2823 Kelsey Street  Gutterson  Oakland  5169 Golden Gate Avenue  Last Name:  City:	Berkeley State/Foreign Country: California Berkeley  Gutterson Neal  Oakland Calfornia  5169 Golden Gate Avenue Oakland  Last Name: First Name:  City: State/Foreign Country:  City:  Post Office Address: City:  City: State/Foreign Country:  State/Foreign Country:	Berkeley  State/Foreign Country: California  Berkeley  California  California  Gutterson  Neal  Middle Name of USA  California  USA  Calfornia  USA  5169 Golden Gate Avenue  Oakland  Calfornia  USA  State/Country: USA  Last Name:  First Name:  Middle Name of City:  Post Office Address:  City:  City:  State/Foreign Country:  Middle Name of City:  Country of Cities  City:  City:  State/Foreign Country:  Country of Cities  City:  Country of Cities

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Signature of Inventor 1	Signature of Inventor 2	Signature of Inventor 3
Diane Burgess	Neal Gutterson	
Date 2/22/99	Date 2/22/99	Date





Attorney Docket No. 012176-006210US

<u>DNA Plant Technology Corporation</u> is the Assignee of the invention entitled: <u>MATERIALS AND METHODS</u>

<u>FOR HYBRID SEED PRODUCTION</u>, the specification of which \_\_\_\_\_ is attached hereto or <u>x</u> was filed on <u>November 6</u>,

<u>1998</u> as Application Serial No. 09/186,775.

Assignee hereby appoints the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

Kevin L. Bastian, Reg. No. 34,774 William M. Smith, Reg. No. 30,223 Jonathan A. Quine, Reg. No. 41,261 Timothy L. Smith, Reg. No. 35,367

Send Correspondence to:

Kevin L. Bastian

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(Name, reg. no., tele. no.)

Kevin L. Bastian Reg. No.: 34,774 (415) 576-0200

DNA PLANT TECHNOLOGY CORPORATION

Date: 2/22/99

(Signature

Name: Clinton H. Neagley

Title: Secretary

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Applica	ınt: <u>L</u>	Diane Burgess and Neal Gutterson
Applica	tion ]	No.: <u>09/186,775</u> Filed: <u>November 6, 1998</u>
For: M	ATE	RIALS AND METHODS FOR HYBRID SEED PRODUCTION
	<del></del> -	
ONA P (Name of A		Technology Corporation , a Delaware corporation, (Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)
certifies	that	it is assignee of the patent application identified above by virtue of either:
A. X	An	assignment from the inventor(s) of the patent application identified above. The assignment was recorded in the Patent and Trademark Office at Reel, Frame(s), or for which a copy thereof is attached.
OR		
В. 🗌	A	chain of title from the inventor(s), of the patent application identified above, to the current assignee as shown below:
	1	From :To:
	1.	The document was recorded in the Patent and Trademark Office at
		Reel, Frame, or for which a copy thereof is attached.
	2	From: To:
	2.	From: 10: The document was recorded in the Patent and Trademark Office at
		Reel, Frame, or for which a copy thereof is attached.
	3.	From: To:
-		The document was recorded in the Patent and Trademark Office at Reel, Frame, or for which a copy thereof is attached.
		, rialio, or for which a copy increase is an account.
□ A	dditio	onal documents in the chain of title are listed on a supplemental sheet.
С	opies	of assignments or other documents in the chain of title are attached.
The un	dersi	gned (whose title is supplied below) is empowered to act on behalf of the assignee.
information willful Title 13	ation false 8 of t	clare that all statements made herein of my own knowledge are true, and that all statements made on and belief are believed to be true; and further, that these statements are made with the knowledge that statements, and the like so made, are punishable by fine or imprisonment, or both, under Section 1001, he United States Code, and that such willful false statements may jeopardize the validity of the application at issuing thereon.
Date	•	2/22/99
Name	· :	Clinton H. Neagley
Title	` : <u> </u>	Secretary
Signa	ture	
SF 1506 SF 1960	38 v1	

Attorney Docket No.: 12176-62-1 Client Reference No.: A0158

## ASSIGNMENT OF PATENT APPLICATION

JOINT

WHEREAS, Diane Burgess, of 2823 Kelsey Street, Berkeley, California, 94618 and Neal Gutterson, 5169 Golden Gate Avenue, Oakland, California 94618 hereinafter referred to as "Assignors," are the inventors of the invention described and set forth in the below-identified application for United States Letters Patent:

Title of Invention:	MATERIALS AND METHODS FOR	
	HYBRID SEED PRODUCTION	
Date(s) of execution o	f Declaration:	
Filing Date:	November 6, 1998	
Application No.:	.09/186,775 ; a	nd

WHEREAS, DNA Plant Technology Corporation, 6701 San Pablo Avenue, Oakland, California 94608-1239, hereinafter referred to as "ASSIGNEE," is desirous of acquiring an interest in the invention and application and in any U.S. Letters Patent and Registrations which may be granted on the same;

For good and valuable consideration, receipt of which is hereby acknowledged by Assignors, Assignors have assigned, and by these presents do assign to Assignee all right, title and interest in and to the invention and application and to all foreign counterparts (including patent, utility model and industrial designs), and in and to any Letters Patent and Registrations which may hereafter be granted on any patent application claiming priority from the same in the United States and all countries throughout the world, and to claim the priority from the application as provided by the Paris Convention. The right, title and interest is to be held and enjoyed by Assignee and Assignee's successors and assigns as fully and exclusively as it would have been held and enjoyed by Assignors had this Assignment not been made, for the full term of any Letters Patent and Registrations which may be granted thereon, or of any division, renewal, continuation in whole or in part, substitution, conversion, reissue, prolongation or extension thereof.

Assignors further agree that Assignors will, without charge to Assignee, but at Assignee's expense, (a) cooperate with Assignee in the prosecution of U.S. Patent applications and foreign counterparts on the invention and any improvements, (b) execute, verify, acknowledge and deliver all such further papers, including applications and instruments of transfer, and (c) perform such other acts as Assignee lawfully may request to obtain or maintain

Exhibit out for dation

Assignment Application No.: 09/186,775

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Letters Patent and Registrations for the invention and improvements in any and all countries, and to vest title thereto in Assignee, or Assignee's successors and assigns.

in Assignee, or Assignee's successors and assigns.
IN TESTIMONY WHEREOF, Assignors have signed his her name on the date indicated.
Dated: 2/22/99 Canad Managess Diane Burgess
STATE OF CALIFORNIA  )  SS.  COUNTY OF ALAMEDA  )  SS.  MARIA GABRIELA LEITE  Comm. # 1162520  NOTARY PUBLIC CALIFORNIA  ()
On fee 32, 1999, before me, have community from the basis of satisfactory evidence)  Diane Burgess personally known to me (or proved to me on the basis of satisfactory evidence)
to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.
WITNESS my hand and official seal.  NOTARY PUBLIC
My Commission Expires: 11 22 2001  Dated: 2/22/78  Neal Gutterson
STATE OF CALIFORNIA  ) ss.  COUNTY OF ALACCOA  ) MARIA GABRIELA LEITE  Comm. # 1162520  NOTARY PUBLIC CALIFORNIA  Alameda County  My Comm. Expires Nev. 22, 2001
Neal Gutterson, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.
WITNESS my hand and official seal.  NOTARY PUBLIC
My Commission Expires: 11 32 2001

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